



U.S. Department of Justice

United States Attorney  
Southern District of New York86 Chambers Street  
New York, New York 10007

March 24, 2008

VIA FACSIMILEHon. Colleen McMahon  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 640  
New York, NY 10007

## MEMO ENDORSED

Re: Kim v. Chertoff  
08 Civ. 00300 (CM)

Dear Judge McMahon:

I write respectfully to request a sixty-day extension of time, from March 24 to May 23 to respond to the complaint in the above-referenced civil action. This is the Government's first request for an extension.

This is a mandamus action in which plaintiff seeks an order compelling Citizenship and Immigration Services ("CIS") to adjudicate her application for adjustment of status. After the complaint was filed, this Office was informed by CIS that plaintiff's application was adjudicated and, in fact, granted. Further, CIS indicated that plaintiff's green card was mailed to her on or about February 27, 2008. Plaintiff's counsel, Daniel Lundy, has informed me that he is attempting to contact plaintiff to verify whether she has received her green card and is unwilling to withdraw this action at this time. Accordingly, we request a sixty-day extension of time to resolve this case. Plaintiff's counsel consents to this request.

I thank the Court for its consideration of this request.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York

By:

  
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cc: Daniel Lundy, Esq.  
(via facsimile)